

AF / 1046
AS / 10
AH / 10
JB / 10
8/13/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martin BILLGER et al.
 Title: PROTEIN FORMULATIONS
 Appl. No.: 09/674,002
 Filing Date: 12/27/2000
 Examiner: Ruixiang LI
 Art Unit: 1646

RECEIVED

JUL 29 2003

TECH CENTER 1600/2900

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
 PO Box 1450
 Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated March 24, 2003, and the Advisory Action dated July 15, 2003, of the Examiner finally rejecting Claims 1-7, 9, 12, 17, 18, 20-28 and 31-36.

- Applicant claims small entity status.
- Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- Notice of Appeal Fee
- To be paid as detailed below
- Not required (Fee paid in prior appeal)

07/25/2003 KZEW/DIE 00000063 09674002
 01 FC:1401 320.00 OP

The required fees are calculated below:

[X]	Notice of Appeal Fee	\$320.00
[X]	Extension for response filed within the first month:	\$110.00
[]	Extension:	\$0.00
	FEE TOTAL:	\$430.00
[]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$430.00

- [] Please charge Deposit Account No. 19-0741 in the amount of \$430.00 . A duplicate copy of this transmittal is enclosed.
- [X] A check in the amount of \$430.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 24 July 2003

By S.A. Bent

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768